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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 **COMMODITY FUTURES TRADING**  
10 **COMMISSION,**

11 Plaintiff,  
12 v.  
13 DAVID GILBERT SAFFRON  
14 a/k/a DAVID GILBERT and  
CIRCLE SOCIETY, CORP.,

15 Defendant.

16 Case No. 2:19-cv-1697-JAD-DJA

17 **PLAINTIFF'S PROOF OF SERVICE BY**  
18 **PUBLICATION ON DEFENDANT DAVID**  
19 **SAFFRON**

20 Pursuant to the Court's Order dated October 30, 2019 ("Alternative Service Order," ECF  
21 No. 19) and in accordance with Nev. R. Civ. P. 4.4(c), Plaintiff Commodity Futures Trading  
22 Commission ("Plaintiff") hereby submits this Proof of Service informing the Court that Plaintiff  
23 served the Summons and Complaint on Defendant David Saffron ("Saffron") by publication  
24 once a week for a period of four weeks.

25 Plaintiff accomplished service of process on Saffron by:

26 1. Publishing the following information in the *Las Vegas Review Journal* and *Los*  
*Angeles Daily News*: (1) Notification of the Summons and a statement describing  
27 how a copy of the Summons, Complaint, and other filings, may be obtained  
28 ("Notification"); and (2) Language of the Summons and a brief summary of the

1 claims asserted and the relief sought (“Additional Language”). *See* Alternative  
 2 Service Order, ECF No. 19; Nev. R. Civ. P. 4.4(c)(2)(C).

3 Attached as Exhibit 1 to this Proof of Service is an affidavit prepared by the Legal Clerk of the  
 4 *Las Vegas Review Journal*, confirming that the newspaper published the Notification and  
 5 Additional Language on November 1, 2019; November 8, 2019; November 15, 2019; and  
 6 November 22, 2019. Attached as Exhibit 2 to this Proof of Service is an affidavit prepared by  
 7 the Principal Clerk of the *Los Angeles Daily News*, confirming that the newspaper published the  
 8 Notification and Additional Language on November 1, 2019; November 8, 2019; November 15,  
 9 2019; and November 22, 2019.

11       2. Mailing the following via United Parcel Service (“UPS”) overnight delivery to  
 12           Saffron’s last-known address in Las Vegas, Nevada on October 31, 2019: (1)  
 13           Complaint (ECF No.1); and (2) Signed Summons (ECF Nos. 4,10).<sup>1</sup>

14 Attached as Exhibit 3 to this Proof of Service is the UPS Proof of Delivery (confirming delivery  
 15 on November 1, 2019).

17       Pursuant to Nev. R. Civ. P. 4.4(c)(4)(C), Plaintiff’s service by publication is complete  
 18 four weeks from “the date of the first publication.” The date of the first publication in both the  
 19 *Las Vegas Review Journal* and *Los Angeles Daily News* newspapers was November 1, 2019.  
 20 Therefore, service by publication on Defendant Saffron is complete as of November 29, 2019.

25       <sup>1</sup> With the Complaint and Summons, Plaintiff also served its Motion for Alternative Service of  
 26 Process on Defendant David Saffron and Memorandum in Support (ECF No. 16), and Order  
 27 Granting Plaintiff’s Motion for Alternative Service of Process on Defendant David Saffron  
 (ECF No. 19).

1 Dated: November 29, 2019

Respectfully submitted,

2 By: /s/ Danielle E. Karst  
3 Danielle E. Karst  
4 Timothy J. Mulreany  
5 **COMMODITY FUTURES TRADING**  
6 **COMMISSION**  
7 Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581  
Telephone: (202) 418-5000  
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**CERTIFICATE OF SERVICE**

I certify that on November 29, 2019, I filed a copy of the foregoing *Plaintiff's Proof of Service by Publication on Defendant David Saffron* with the Clerk of the Court using the CM/ECF system. I also certify that on November 29, 2019, I sent hard copies of the same to Defendants David Gilbert Saffron and Circle Society, Corp. via United Parcel Service overnight mail at the following addresses:

## David Gilbert Saffron

Las Vegas, Nevada  
*(Last-Known Address)*

## Circle Society, Corp.

c/o Michael C. Van, Esq.  
8985 S. Eastern Ave., Suite 100  
Las Vegas, NV 89123

/s/Danielle Karst

Danielle Karst